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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION III

841 Chestnut Building
Philadelphia, Pennsylvania 19107

MAY 04 1989

Mr. Paul Jack, Senior Engineer
Environmental Affairs
Westinghouse Electric Company
Westinghouse Building
Pittsburgh, PA 15272

Dear Mr. Jack:

As you know from our last telephone conversation, I am very concerned about the delays in the RI/FS implementation at Shrivvers Corner, Hunterstown Road and the Westinghouse Elevator Plant. In referring to the Work Plan schedule for the completion of implementation phases, it appears that Westinghouse is not in compliance with those dates. I am currently being advised by both the program and Joe Donovan that I should seriously consider pursuing stipulated penalties, particularly since Westinghouse has waived the "force majeure" provisions of the Consent Order by failing to provide timely written notice of delay.

I am willing to have Westinghouse meet with EPA during the week of May 15, 1989 to hear Westinghouse's position. Westinghouse should also provide at that time, a description of work performed, in whole or in part, to date, and a draft modification of the current Work Plan. I am concerned that problems at the Hunterstown site are delaying the RI at the Shrivvers Corner site. I believe that Westinghouse's Management needs to reassess whether they have brought sufficient resources to bear on these sites. Stipulated penalties can add up rapidly if compliance with the schedules is delayed substantially.

I also would like to know if Westinghouse will supply EPA with information that they have gathered regarding other PRPs. This can only help Westinghouse during cost recovery and would assist EPA by bringing the additional PRPs to negotiations for the Remedial Design and Remedial Actions early.

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I would appreciate a prompt response to this request. Please contact me at (215) 597-0676 if you have any questions regarding these requests.

Sincerely

A handwritten signature in cursive script, appearing to read "Frank Vavra".

Frank Vavra, Remedial Project Manager
SARA Special Sites Section

cc. Joseph Donovan
Sean Rosenberger (PA DER)

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